## THE LAW OFFICES OF ANDREW D. FORTNEY, PH.D., P.C. 7257 N. MAPLE AVENUE, SUITE 107 FRESHO, CALIFORNIA 93720

MAR 1 6 2006

RECEIVED

WWW.FORTNEYLAW.COM

TELEPHONE: (559) 299-0128
FAX: (559) 299-0118
EMAIL: INFO@FORTNEYLAW.COM

ANDREW D. FORTNEY, PH.D.

MAR-16-2005(THU),18:26

ALEC B. PLUMS-

\*REGISTERED PATENT AGENT

ATTN:	Mail Stop Amendment								
COMPANY:	Commissioner for Patents / P.O. Box 1450, Alexandria VA 22313-1450								
Fax:	1 (571) 273-8300								
Date:	03-16-2006	_	Тіме:	6;25 PM					
	☐ WITH CONFIRM ☑ WITHOUT CON								
RE:	Application No. Filed:	10/743,573 12-22-2003							
	fy that this document and for Patents, fax no. (571) 27		listed below March 16	are being transmitted via fi 5, 2006	csimile				
		By:	500	MARKO TARRET	2000				

SUBMITTED HEREWITH FOR THE ABOVE-CAPTIONED APPLICATION:

- Transmittal Form
- Amendment and Request for Reconsideration (12 Pgs.)

Respectfully submitted,

Andrew D. Fortney, Ph.D.; Reg. No. 34,600

Please direct any questions regarding the transmission of this fax to: (559) 299-0128 / Fax (559) 299-0118 / info@fortneylaw.com

THIS FAX CONTAINS 14 PAGE(S) INCLUDING THIS ONE.

This message is intended for its recipient(s) only, and may contain attorney-client privileged communications, attorney work product or other privileged communications. No waiver of any applicable legal privilege is intended by this transmission. If this transmission is received in error by other than the intended recipient(s), please notify the Law Offices of Andrew Formey at the phone/feet number listed at the top of this page and then please return or destroy the transmitted document. Thank you for your cooperation and assistance.

### CENTRAL FAX CENTER

MAR 1 6 2006 Approved for use through 07/31/2008, OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a c ection of information unless it displays a valid OMB control number. Application Number 10/743,573 Filing Date TRANSMITTAL 12-22-2003 First Named Inventor **FORM** Bo-Yeoun JO Art Unit 2891 Examiner Name Wilson, Christian D. (to be used for all correspondence after initial filling) Attorney Docket Number 14 **OPP031368US** Total Number of Pages in This Submission

ENCLOSURES (Chock all that apply)									
	Amendm A A Extension Express A Information Contified Documen Reply to I Incomplet	ee Attached ent/Reply Iter Final ffidovits/declaration(s) of Time Request Abandonment Request on Disclosure Statement Copy of Priority It(s) Missing Parts/ te Application eply to Missing Parts ander 37 CFR 1.52 or 1.53	Drawing(s)  Licensing-related P  Petition  Petition to Convert Provisional Applica Power of Attorney, Change of Corresp  Terminal Disclaime  Request for Refund  CD, Number of CD;  Landscape Ta	apers to a tion Revocation ondence Address		After Allowance Communication to TC  Appeal Communication to Board of Appeals and interferences  Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter Other Enclosure(s) (please identify below):  Transmission Cover Page			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT									
The Law Offices of Andrew D. Fortney, Ph.D., P.C.									
Signature Och S									
Printed	Printed name Andrew D. Fortney, Ph.D.								
Date 03-16-2006		03-16-2006		Reg. No.		34,600			

# CERTIFICATE OF TRANSMISSION/MAILING I hereby confly that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Typed or printed name Jennie Heaton Date 03-18-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application, Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the including case. Any commanis on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, PO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need essistance in completing the form, call 1-800-PTO-9199 and select option 2,

## RECEIVED CENTRAL FAX CENTER

Atty. Docket No. OPP031368U\$

MAR 1 6 2006

#### IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Bo-Yeoun JO : GROUP ART UNIT: 2891

APPLICATION NO: 10/743,573 :

FILED: December 22, 2003 : EXAMINER: Wilson, Christian D

FOR: METHOD FOR FABRICATING A

CAPACITOR USING A METAL INSULATOR METAL STRUCTURE

I hereby certify that this document is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>March 16, 2006</u>.

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 35 U.S.C. 132
AND 37 C.F.R. 1.116

Mail Stop AF COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Office Action dated December 16, 2005, Applicant respectfully requests reconsideration of the above-identified application in view of the following amendments and remarks.